

SCOTT N. SCHOOLS (SC 9990)
United States Attorney

MARK L. KROTOSKI (CASBN 138549)
Chief, Criminal Division

BRIGID S. MARTIN (CASBN 231705)
Special Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, CA 94102
Telephone: (415) 436-7129
Facsimile: (415) 436-7234
Email: brigid.martin2@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. 3-07-70254 EMC
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER EXCLUDING TIME UNDER THE
v.)	SPEEDY TRIAL ACT
)	
ROY LACY,)	
)	
Defendant.)	

The United States and defendant Roy Lacy stipulate to an exclusion of time under the Speedy Trial Act from May 4, 2007 to May 15, 2007, as follows:

1. On May 4, 2007, the parties appeared before the Magistrate Judge for a Detention Hearing and to set the date for a Preliminary Hearing.

2. At this appearance, at the request of defendant Roy Lacy, the Court reset the Detention Hearing for May 15, 2007, and the parties agreed that on May 15, 2007, they would set a date for the Preliminary Hearing.

3. Also at this appearance, the defendant Roy Lacy requested, the government agreed, and the Court approved, an exclusion of time under the Speedy Trial Act, 18 U.S.C.

§ 3161(b), from May 4, 2007 to May 15, 2007. The grounds for exclusion cited were

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1 18 U.S.C. § 3161(h)(8)(A) & (B)(iv). Failure to grant the requested exclusion of time would
2 unreasonably deny defense counsel reasonable time necessary for effective preparation, taking
3 into account the exercise of due diligence. Furthermore, the parties agree that the ends of justice
4 served by excluding the period from May 4, 2007 to May 15, 2007, outweigh the best interest of
5 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

6 4. A proposed Order is submitted with this stipulation.
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8

9 DATED: May 7, 2007

Respectfully submitted,

10 SCOTT N. SCHOOLS
11 United States Attorney

12 /s/ Brigid S. Martin
13 BRIGID S. MARTIN
Special Assistant United States Attorney

14 /s/ Steve Koeninger
15 STEVE KOENINGER
Assistant Federal Public Defender
Counsel for Roy Lacy
16 Tel: 415.436.7700
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
ROY LACY,
Defendant.

No. 3-07-70254 EMC

~~PROPOSED~~ ORDER EXCLUDING
TIME UNDER THE SPEEDY TRIAL ACT

Based upon the Stipulation of defendant Roy Lacy and the United States, and for good cause shown, IT IS HEREBY ORDERED that time under the Speedy Trial Act, 18 U.S.C. § 3161(b), is excluded from May 4, 2007 to May 15, 2007, under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv). The Court finds that the failure to grant this exclusion of time would unreasonably deny counsel for the defendant and the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court further finds that the ends of justice served by such action outweigh the best interest of the public and the defendant in a speedy trial.

DATED: May 9, 2007

ELIZABETH D. LAPORTE
United States District Judge

